

**REMARKS**

Examiner Manoskey is thanked for the thorough examination of the subject Patent Application. The Claims have been carefully reviewed and amended, and are considered to be in condition for allowance.

5 Reconsideration of the rejection under 35 USC §102(e) of Claims 1-15,  
19-21, 23-37, 41-43 as being anticipated by U.S. Patent Application 2004/016290  
(Mangipudi, et al.) is requested in light of the following arguments. Mangipudi, et  
al. does include servers that are organized into groups referred to as clusters,  
which are given a priority, on a local area network. Mangipudi, et al. also shows  
10 that the backend servers are clustered into virtual cluster groups and the servers  
multicasting on the network to each other. Mangipudi, et al. has a monitoring  
processor that monitors workload and availability of servers. Mangipudi, et al.  
incorporates routing to the servers via MAC address and multicasting packets.  
Mangipudi, et al. teaches assigning priority to the clusters for based on a class of  
15 service to be provided. Finally, Mangipudi, et al. include a routing host that  
provides a front-end processor in the form of a TCP router configured to receive  
all client requests for sites and virtual sites implemented on the back-end  
servers. However, Mangipudi, et al. does not provide:

20 a plurality of virtual networks, each virtual network comprising a plurality of said computer processing systems, wherein each computer processing system includes at least one neighbor's

listing, each neighbor's listing defining said computer processing system as a member of one of said plurality of said virtual networks and virtually connected through a virtual multicast bus to other member computer processing systems of said virtual network to allow direct and shared communication with the member processors; and

5 a configuration service apparatus in communication with each of said computer processing systems to provide each of said plurality of computer processing systems with:

10 a neighbor's listing for each of said plurality of virtual networks that each of said plurality of computer systems is a member computer system. (Claim 1, Lines 15-31)

said virtual network comprising:

15 a plurality of nodes, each node comprising at least one computer system cluster designated to be a member of said virtual network, each computer system cluster comprising at least one of said computer processing systems;

a virtual multicast bus to provide communication between member nodes of said virtual network; and

a configuration service apparatus in communication with each of the computer systems to provide each of the plurality of computer systems with:

5 a neighbor's listing for each of said computer processing systems included in a member node of said virtual network, a separate neighbor's listing associated with any virtual network included within said a plurality of clusters; (Claim 23, Lines 4-21)

10 Mangipudi, et al. provides a facility for varying "classes of service" where the clusters are divided according the class type. The virtual network of this invention does not distinguish class type but the organizational structure as shown in Fig. 4a. The "any-to-any" structure of the network connected computer system processors is then virtually reorganized to form the virtual networks. The structure of the "virtual network" is established by the "configuration service apparatus" with a "neighbor's list" being promulgated by the "configuration service apparatus" through the "virtual multicast bus" that connects the members of the "virtual network" essentially directly together according to the network structure.

15 New Claims 45-66 are added to claim a method for forming a virtual network within a plurality of clusters of computer processing systems 20 interconnected by a physical network to allow each computer processing system of the clusters of computer processing systems to transfer data between any of the plurality of computer systems.

The related art references made of record and not relied upon have been reviewed and it is agreed that they do not suggest the present detailed claimed invention.

Reconsideration of the objection to Claims 16-18, 22, 38-40, and 44 for being dependent upon rejected claims is requested in light of the following argument. The Applicant acknowledges that Claims 16-18, 22, 38-40, and 44 would be allowable if rewritten independent form. The applicant believes that the independent claims on which Claims 16-18, 22, 38-40, and 44 are dependent are now allowable and respectfully requests that a timely Notice of Allowance for all claims be issued in this case.

It is requested that should Examiner Manoskey not find that the Claims are now allowable, that the undersigned be called at (845) 452-5863 to overcome any problems preventing allowance.

Respectfully Submitted,  
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